

1 HONORABLE RICHARD A. JONES
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,) No. CR17-275-RAJ
9 Plaintiff,)
10 v.) ORDER GRANTING STIPULATED
11 NABIL SAYYID HESTER,) MOTION TO CONTINUE TRIAL
12 Defendant.) AND PRETRIAL MOTIONS
13
14 THE COURT has considered the stipulated motion of the parties to continue the
15 trial date and pretrial motions deadline and finds that:

16 (a) taking into account the exercise of due diligence, a failure to grant a
17 continuance in this case would deny counsel for the defendant the reasonable time
18 necessary for effective preparation due to counsel's need for more time to review the
19 evidence, consider possible defenses, and gather evidence material to the defense, as set
20 forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

21 (b) a failure to grant such a continuance in this proceeding would likely result in
22 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

23 (c) the additional time requested is a reasonable period of delay, as the defendant
24 has requested more time to prepare for trial, to investigate the matter, to gather evidence
25 material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and the defendant in any speedier trial,
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of January 8,
5 2018, and the new trial date is necessary to provide counsel for the defendant the
6 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
7 the facts set forth above; and

8 IT IS THEREFORE ORDERED that the parties' Stipulation Motion to Continue
9 Trial Date and Pretrial Motions Deadline (Dkt. #17) is GRANTED. The trial date in
10 this matter shall be continued to March 12, 2018. All pretrial motions, including
11 motions in limine, shall be filed no later than February 1, 2018.

12 IT IS FURTHER ORDERED that the period of delay from the date of this order
13 to the new trial date of March 12, 2018, is excludable time pursuant to 18 U.S.C. §§
14 3161(h)(7)(A) and (h)(7)(B)(iv).

16 DATED this 7th day of December, 2017.

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19 The Honorable Richard A. Jones
20 United States District Judge
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